

**MINUTES OF THE REGULAR MEETING  
OF THE LA SALLE CITY COUNCIL  
August 10, 2020**

**A regular meeting of the La Salle City Council of La Salle, Illinois was held Monday, August 10, 2020 at 6:30 p.m. Mayor Jeff Grove presiding with proper notices being duly and continuously posted.**

The meeting was called to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**Present-** Aldermen Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

**Excused Absence:** None

A quorum was present.

**APPROVAL OF MINUTES**

Moved by Alderman Demes and seconded by Alderman Reynolds to accept and place on file the Minutes of the Regular Meeting of the City Council held July 27, 2020. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

**PETITIONS**

Mary Jo Credi of the Illinois Valley Food Pantry was scheduled to speak but was unable to attend. She is expected to attend the next City Council meeting on Monday, August 24, 2020.

Moved by Alderman Lavieri and seconded by Alderman Jeppson to grant the request of Ameren Illinois to break ground at 1311 Illinois St., 653 11<sup>th</sup> St., 2950 Chartres St., 740 Fifth St., and 239 Union St. to repair gas leaks and at 63 Victoria Drive to install electric service. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Alderman Crane received an email from Kyle Thornsborough of 2957 Country Aire Avenue requesting a No Outlet sign at the Route 351 entrance to the Country Aire subdivision and one No Outlet sign at each dead end in the subdivision. The request was referred to the Streets, Alleys, and Traffic Committee. Each and every alderman has a copy.

**Chairman Bacidore announced the request will be considered by the Street, Alleys and Traffic committee on August 24, 2020 immediately following the 6 p.m. Finance Meeting**

Moved by Alderman Demes and seconded by Alderman Reynolds to grant the request of Ray Aubry on behalf of the Illinois Knights of Columbus Council #1775 for permission to hold its annual "Hunger Blitz" at Illinois Valley Food & Deli and Save-A-Lot on Saturday, February 6, 2021 with Saturday, February 13, 2021 as a snow date. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Demes and seconded by Alderman Reynolds to grant the request of Turnroth Signs on behalf of La Salle State Bank to remove existing time and temperature sign

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and replace it with a double-facing illuminated sign at 654 First Street. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Demes and seconded by Alderman Reynolds to grant the request from P & D Sign, Inc. on behalf of Buckman Iron & Metal Co., Inc. to install two non-illuminated wall signs at 85 Chartres Street. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Alderman Reynolds raised concerns about providing a Solicitor's Permit to State Farm agent Bill Zens as he generally is against "door-to-door" sales as it has a tendency to scare older residents. Mayor Grove said he expects solicitors to respect residences where "No Soliciting" signs are posted and that Zens will likely have identification. Alderman Herndon asked if City Hall can get "No Solicitor" signs to give to residents wanting them. Mayor Grove reminded residents to ask for identification of solicitors and to check with City Hall if they are concerned. He noted Zens is doing the process "the right way" by being approved by the City Council.

Moved by Alderman Lavieri and seconded by Alderman Jeppson to grant the request of State Farm agent Bill Zens for a Solicitor's Permit to sell insurance door-to-door. Each and every alderman has a copy.

**ROLL CALL:** AYE: Aldermen Demes, Bacidore, Ptak, Lavieri, Jeppson, Herndon, Crane

NAY: Alderman Reynolds Absent: None Abstain: None

**Motion carried 7-1**

## **REPORTS OF CITY OFFICERS**

Moved by Alderman Bacidore and seconded by Alderman Reynolds to accept and place on file the Building Inspector's report for July 2020 showing total fees collected of \$13,521.63 with total value of construction of \$1,556,445.00. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Ptak and seconded by Alderman Lavieri to accept and place on file the Treasurer's Report for July 2020 showing total cash balances in La Salle State Bank of \$7,711,417.48 and in Hometown National Bank of \$3,947,626.35. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

## **OLD BUSINESS**

Alderman Demes said he thinks the city of La Salle should have a simple fireworks ordinance, similar to the city of Ottawa's. He suggested a fine of \$150 for violation be included in the ordinance. Mayor Grove asked if it would be something handled through the city's ordinance court to which Alderman Demes answered in the affirmative. Alderman Jeppson added he would like the definition of fireworks added to the ordinance, similar to the one included in the city of Oglesby's ordinance.

Moved by Alderman Demes and seconded by Alderman Jeppson to adopt a fireworks ordinance similar to the city of Ottawa's to also include a clear definition of fireworks as well as a \$150 fine for violation of the ordinance. Each and every alderman has a copy.

**ROLL CALL:** AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

NAY: None Absent: None Abstain: None

**Motion Carried 8-0**

Alderman Demes expressed interest in setting the fine for animals running at large in the city's ordinance to \$1,000 and increasing the fine range of \$50 to \$750 for a dog without a city tag to \$150 to \$750. Demes said it should correct the problem of owners having their animals loose without a leash. Alderman Bacidore said in his personal situation with three small dogs and a fenced-in backyard, they occasionally run out the door. While he said they're too small to hurt anyone he could still end up with \$3,000 in fines for an honest accident. Mayor Grove asked Attorney McPhedran if the City is able to target specific breeds in the ordinance, suspecting that the City cannot, and McPhedran confirmed that due to state law they are unable to discriminate between breeds. McPhedran said often Pit Bulls, Dobermans, and Rottweilers are mentioned but rules cannot be made specific for those animals. Alderman Bacidore suggested that a fine range of \$100 to \$1,000 would be preferable and asked if the municipal judge could then determine severity. Attorney McPhedran said police officers, as always, will have discretion over enforcing the law whether a warning or ticket is required. Mayor Grove reminded that part of the ordinance encourages the public to notify police if a neighbor has a vicious dog and that the increased fines are meant to discourage owners from leaving animals unleashed. He noted an 11-year-old boy who was hospitalized after a dog attack in July. "We can't do this anymore and we have the tools that can help this and it's time," Grove said. Alderman Bacidore said others like him can make honest mistakes with smaller animals and will be charged a high fee for a relatively small issue. Grove said an ordinance judge likely doesn't want to be the one determining after the fact the severity of the event but rather would be following through on the proposed ticket. Alderman Demes reiterated that a firm \$1,000 fine for animals running at large, an increase in the minimum fine for an animal without a tag would likely encourage owners to keep their animals leashed and under control. Alderman Bacidore again advocated on behalf of "good dog owners" who make honest mistakes but Mayor Grove suggested owners who let animals loose in the city are not "good dog owners." Mayor Grove also noted the ordinance asks for vicious dog owners to pay a \$25 tag fee while everyone else pays \$5. He asked the tag fee be set at a firm \$5 to keep it simple and encourage everyone to have their animals on file with the City. Alderman Bacidore questioned if certain dog owners would receive different treatment if it was up to police discretion but Attorney McPhedran explained while they have discretion, they must apply it reasonably and consistently. Police Chief Smudzinski said he felt "confident" officers would be able to reasonably and consistently identify when a situation requires a fine, such as a dog chasing a person, and when a warning is sufficient, such as a cat loose on a sidewalk.

Moved by Alderman Demes and seconded by Alderman Reynolds to have Attorney McPhedran craft an ordinance which amends Chapter 90 (Animals) of the city code implementing a \$1,000 fine for animals at large, increasing the fee range to \$150 to \$750 for dogs and cats without a tag and making tag fees \$5 for dogs and cats. Each and every alderman has a copy.

**ROLL CALL:** AYE: Alderman Demes, Ptak, Reynolds, Laveri, Jeppson, Mayor Grove

NAY: Bacidore, Herndon, Crane Absent: None Abstain: None

**Motion Carried 5-3 with Mayor Grove voting Aye.**

Mayor Grove asked those with Nay votes what their final concerns were and Alderman Herndon explained the fine for animals running loose should be up to \$1,000 instead of a firm \$1,000 fine and leave it to the officers to decide the severity of the situation. Mayor Grove reiterated that it will be up to the responding officers if an individual gets a fine at all.

## **NEW BUSINESS**

Police Chief Smudzinski said he thinks he may have two good candidates to fill positions at the La Salle Police Department when asked by Mayor Grove. Police Chief Smudzinski said he is

“deep into the (Patrolman Eligibility) list” for new applicants and he expects to meet in-person with one of them soon. He’s not ready to hire any specific individual but wants approval from the Council to begin the process. Mayor Grove said not to “hire someone just to hire someone” but to ensure the new hires are good fits for the department with a desire to stay on for many years. Police Chief Smudzinski will return to the Council for final approval.

Moved by Alderman Herndon and seconded by Alderman Reynolds to hire two candidates for the position of Patrolman from the Patrolman Eligibility list per the recommendation of the Police and Fire Commissioners for the City of LaSalle.

**ROLL CALL:** AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

NAY: Absent: None Abstain: None

**Motion Carried 8-0**

Alderman Bacidore noted that residents have already made quick work of cleaning up some of the streets and yards following a large storm that occurred earlier in the day. He asked whether additional help will be necessary to take care of the branches and to clean the streets. Mayor Grove said the branches can all be taken to the City’s drop-off site but Alderman Demes noted there is quite a bit of them. Alderman Herndon expressed interest in granting a 45-day exemption to the City’s burn ordinance to allow residents to take care of branches and trees on their own. Alderman Demes said many of the trees would need to dry significantly before burning or they’ll burn for days. Alderman Herndon said residents on the north and east need assistance and the City should assist the taxpayers. Alderman Bacidore and Crane discussed hiring additional work or workers but Alderman Herndon said the “smart” decision is to lift the burn ban for 45 days. He also expressed concern a worker could be hurt and the City could see worker’s compensation claims rise if the City handled the cleanup. “Let’s do the right thing and help taxpayers out so they don’t have to pay for it,” Herndon said. Alderman Crane agreed with the sentiment. Mayor Grove said the City won’t charge residents for the pickup of branches but that it should be up to the residents to cut their own branches. Alderman Herndon said many residents have trees, not branches to deal with but Alderman Lavieri reiterated Alderman’s Demes’ earlier statement that trees could burn for days. Alderman Demes said most home owners have their trees covered in their home insurance. Alderman Crane said the additional work will be difficult for city workers. Finance Director Duncan clarified that the City won’t charge for branch pickup but branches must be no thicker than three inches and no longer than six feet to fit into the chipper. Mayor Grove said city workers will canvas the streets picking up branches rather than calling City Hall to schedule a pickup. Alderman Demes suggested that if additional work is needed to handle the branches then the City should commit soon and Alderman Bacidore agreed as other municipalities will be thinking the same. Attorney McPhedran reminded that as the item wasn’t on the meeting’s agenda, the City Council can’t formally vote on approval of a plan but can take a straw vote to get a sense of the Council’s general interest in a topic. Alderman Jeppson said he thinks everyone will be surprised by what is cleaned up by the weekend and what the residents can do on their own. He plans to help his neighbors and expects others will as well. Mayor Grove thanked the residents, public works employees and city staff on “coming together and rally” which was awesome to see. “I’m glad we’re all here safe. I’d rather be picking up branches than houses,” Grove said.

## **ORDINANCES/RESOLUTIONS**

Deputy Clerk Brent Bader was unable to provide copies of the resolution for everyone prior to the meeting. Attorney McPhedran described the resolution as one which authorizes the permit issued to Michael and Linda Battaglia residents of 1446 Porter Avenue as a result of their earlier

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approved request for a home addition on the east side of their premises. The written agreement ensures the premises can only be used as a single-family structure, as it is zoned, and extends not only to them but all successors of the property.

Moved by Alderman Herndon and seconded by Alderman Reynolds to approve and place on file **Resolution 202011**: A Resolution further formally authorizing issuance of building permit, subject to entry of agreement. Each and every alderman has a copy.

**ROLL CALL**: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

NAY: Absent: None Abstain: None

**Motion carried 8-0**

**Resolution 202011: Further formally authorizing issuance of building permit, subject to entry of agreement.**

## COMMENTS

Marsha Piriano of Fourth Street in La Salle noted City Hall requires masks for entry but asked why businesses aren't doing the same. She said she likes supporting local businesses but if they don't care about protecting her or her family's health then she doesn't want to anymore. She said she reported it to La Salle Police Department but was told they can't enforce Governor JB Pritzker's mask mandate as it's a mandate and not a law. Mayor Grove said new information has come down from the Governor's office and local municipalities now have more backing to enforce those guidelines first with a warning and then with a fine. He said a city worker had to notify a store earlier in the day to issue a warning. He said in the future, notify police officers if a business is not complying with the order.

Phillip Garbe, also of Fourth Street, spoke to Alderman Demes' earlier comments about tree insurance noting that every resident should have a \$1,000 or more deductible. He also noted businesses where employees or customers don't wear masks make him uncomfortable to shop there. Mayor Grove said he understands and he himself has forgotten a mask in his car but always goes back to grab it before walking inside. "You saw the sign, we're not messing around here," Grove said noting City Hall adheres to the Governor's order.

Mayor Grove said Wednesday, Aug. 19 would be the final day this season the pool would be open. An issue with the heater has been fixed and water temperature is now ideal.

He also noted patriotism is strong in the community as Bill and Mary Pride put a nice flag out in front of their business on Crosat Street, Tom and Lynn put out a flag in front of Studio 718 and flags have been placed in front of the La Salle State Bank building. Mayor Grove said it makes the downtown and associated establishments look nice.

## APPROVAL OF BILLS

Moved by Alderman Ptak and seconded by Alderman Lavieri to accept, pay and place on file bills for July 27, 2020 with Total submitted of \$422,913.61 (Total Payroll \$183,810.40, Bills to be Paid \$136,783.62, Total Bills Paid \$102,319.59).

**ROLL CALL**: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

NAY: None Absent: None Abstain: None

**Motion Carried 8-0**

Moved by Alderman Reynolds and seconded by Alderman Crane to adjourn the meeting. Voice vote, all ayes. Motion is carried.

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**ADJOURNED 7:18 p.m.**

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*Carrie Brown*

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Carrie Brown, City Clerk by Deputy Clerk Brent Bader